

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 05-CV-00329-GKF-SAJ
)	
TYSON FOODS, INC., et al.,)	
)	
Defendants.)	

**STATE OF OKLAHOMA'S RESPONSES TO TYSON FOODS, INC.'S APRIL 17, 2008
REQUESTS FOR PRODUCTION TO THE STATE OF OKLAHOMA**

COMES NOW, the Plaintiff, the State of Oklahoma, ex rel. W.A. Drew Edmondson, in his capacity as Attorney General of the State of Oklahoma, and Oklahoma Secretary of the Environment, C. Miles Tolbert, in his capacity as the Trustee for Natural Resources for the State of Oklahoma under CERCLA, (hereinafter "the State") and hereby responds to Tyson Foods, Inc.'s, April 17, 2008 Request for Production. The State reserves the right to supplement these responses.

GENERAL OBJECTIONS

1. The State objects to these discovery requests to the extent that they seek the discovery of information that is protected by the attorney-client privilege, the work product doctrine or any other applicable privilege or protection under state or federal law.

2. The State objects to these discovery requests to the extent that they seek the discovery of information that is already in the possession of Defendant Tyson Foods, Inc. ("Tyson"), is obtainable from another source that is more convenient, less burdensome or less expensive, or is as accessible to Defendant Tyson as it is to the State. As such, the burden of obtaining such sought-after information is substantially the same, or less, for the Defendant

Tyson as it is for the State.

3. The State objects to these discovery requests to the extent that they are overly broad, oppressive, unduly burdensome and expensive to answer. Providing answers to such discovery requests would needlessly and improperly burden the State. The State particularly objects because certain of these requests seek computer programs, functions and procedures which are not in the possession of the State, nor under its control, and which are proprietary or owned by or licensed to third parties not under the control of the State, rendering their production impossible, or oppressive, unduly burdensome and expensive for the State.

4. The State objects to these discovery requests to the extent that they improperly seek identification of "all" documents for each request. Such discovery requests are thus overly broad and unduly burdensome. It may be impossible to locate "all" documents or each item of responsive information to such discovery requests.

5. The State objects to these discovery requests to the extent that the discovery sought is unreasonably cumulative or duplicative.

6. The State objects to these discovery requests to the extent that they do not state with the required degree of specificity and particularity what information is being sought to be admitted or denied. As such, such discovery requests are vague, indefinite, ambiguous and not susceptible to easily discernible meaning, requiring the State to guess as to what it is admitting or denying, or to admit or deny a statement readily susceptible to alternative interpretations.

7. The State objects to these discovery requests to the extent that the burden or expense of the proposed discovery outweighs its likely benefit, taking into account the needs of the case, the amount in controversy, the parties' resources, and the importance of the proposed discovery in resolving the issues.

8. The State objects to these discovery requests to the extent that they improperly attempt to impose obligations on the State other than those imposed by the Federal Rules of Civil Procedure.

9. The State objects to the instructions set forth in these discovery requests to the extent that they improperly expand or alter the obligations imposed by the Federal Rules of Civil Procedure. The State objects to the definitions of these discovery requests to the extent that they improperly attempt to alter the plain meaning of certain words.

10. By submitting these responses, the State does not acknowledge that the requested information is necessarily relevant or admissible. The State expressly reserves the right to object to further discovery into the subject matter of any information provided and to the introduction of such information into evidence.

11. The State objects to the definition of "You," "your" or "yourself" to the extent that it is intended to mean anything other than the State of Oklahoma. There is only one Plaintiff.

RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Please produce all Models relating to the IRW created in connection with This Matter and/or which You intend to rely upon in This Matter.

RESPONSE TO REQUEST NO. 1: The State incorporates its general objections as if fully stated herein. The State objects to this request to the extent it seeks information protected by the attorney client privilege or work product protection. Further, the State objects to this request to the extent that it seeks information known or opinions held by expert consultants retained or specially employed by the State or by its counsel in anticipation of litigation or preparation for trial. Fed. R. Civ. P. 26(b)(4)(A) and (B). The State and its experts are still collecting and analyzing the information and data which will be used in their opinions and

reports, including any supplements thereto. The State objects to any production of expert opinions and materials prior to the applicable dates set by the Court's Scheduling Order.

The State also objects to this request on the ground that it improperly seeks identification of all items of responsive information, which renders it overly broad, unduly burdensome and oppressive. It may be impossible to locate all items of information responsive to this request. Additionally, the State objects to this Request on the ground that it is improper, overbroad, unduly burdensome, duplicative of other discovery requests and premature.

The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as a Model, defined as a "computerized, mathematical representation of a system."

Subject to and without waiver of any objection, the State will identify / produce non-privileged, non-protected information that is responsive to this request, to the extent it is reasonably available to the State, after the disclosure of the applicable expert reports. The State reserves the right to supplement its response to this request.

REQUEST FOR PRODUCTION NO. 2: Please produce all input files used in the Models.

RESPONSE TO REQUEST NO. 2: The State incorporates its general objections as if fully stated herein. The State objects to this request to the extent it seeks information protected by the attorney client privilege or work product protection. Further, the State objects to this request to the extent that it seeks information known or opinions held by expert consultants retained or specially employed by the State or by its counsel in anticipation of litigation or preparation for trial. Fed. R. Civ. P. 26(b)(4)(A) and (B). The State and its experts are still collecting and analyzing the information and data which will be used in their opinions and

reports, including any supplements thereto. The State objects to any production of expert opinions and materials prior to the applicable dates set by the Court's Scheduling Order.

The State also objects to this request on the ground that it improperly seeks identification of all items of responsive information, which renders it overly broad, unduly burdensome and oppressive. It may be impossible to locate all items of information responsive to this request. Additionally, the State objects to this Request on the ground that it is improper, overbroad, unduly burdensome, duplicative of other discovery requests and premature.

The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as a Model, defined as a “computerized, mathematical representation of a system.” The State further objects to the term “input file” as it is vague and ambiguous and susceptible to various meanings and interpretations.

Subject to and without waiver of any objection, the State will identify / produce non-privileged, non-protected information that is responsive to this request, to the extent it is reasonably available to the State, after the disclosure of the applicable expert reports. The State reserves the right to supplement its response to this request.

REQUEST FOR PRODUCTION NO. 3: Please produce all output files produced by the Models.

RESPONSE TO REQUEST NO. 3: The State incorporates its general objections as if fully stated herein. The State objects to this request to the extent it seeks information protected by the attorney client privilege or work product protection. Further, the State objects to this request to the extent that it seeks information known or opinions held by expert consultants retained or specially employed by the State or by its counsel in anticipation of litigation or preparation for trial. Fed. R. Civ. P. 26(b)(4)(A) and (B). The State and its experts are still

collecting and analyzing the information and data which will be used in their opinions and reports, including any supplements thereto. The State objects to any production of expert opinions and materials prior to the applicable dates set by the Court's Scheduling Order.

The State also objects to this request on the ground that it improperly seeks identification of all items of responsive information, which renders it overly broad, unduly burdensome and oppressive. It may be impossible to locate all items of information responsive to this request. Additionally, the State objects to this Request on the ground that it is improper, overbroad, unduly burdensome, duplicative of other discovery requests and premature.

The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as a Model, defined as a "computerized, mathematical representation of a system." The State further objects to the term "output file" as it is vague and ambiguous and susceptible to various meanings and interpretations.

Subject to and without waiver of any objection, the State will identify / produce non-privileged, non-protected information that is responsive to this request, to the extent it is reasonably available to the State, after the disclosure of the applicable expert reports. The State reserves the right to supplement its response to this request.

REQUEST FOR PRODUCTION NO. 4: Please produce all computer codes used in the Models.

RESPONSE TO REQUEST NO. 4: The State incorporates its general objections as if fully stated herein. The State objects to this request to the extent it seeks information protected by the attorney client privilege or work product protection. Further, the State objects to this request to the extent that it seeks information known or opinions held by expert consultants retained or specially employed by the State or by its counsel in anticipation of litigation or

preparation for trial. Fed. R. Civ. P. 26(b)(4)(A) and (B). The State and its experts are still collecting and analyzing the information and data which will be used in their opinions and reports, including any supplements thereto. The State objects to any production of expert opinions and materials prior to the applicable dates set by the Court's Scheduling Order.

The State also objects to this request on the ground that it improperly seeks identification of all items of responsive information, which renders it overly broad, unduly burdensome and oppressive. It may be impossible to locate all items of information responsive to this request. Additionally, the State objects to this Request on the ground that it is improper, overbroad, unduly burdensome, duplicative of other discovery requests and premature.

The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as a Model, defined as a "computerized, mathematical representation of a system." The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as a "computer code." The State particularly objects because certain of these requests seek "computer codes" which are not in the possession of the State, nor under its control, and which are proprietary, copyrighted or owned by or licensed to third parties not under the control of the State, rendering their production impossible, or oppressive, unduly burdensome and expensive for the State.

Subject to and without waiver of any objection, the State will identify / produce non-privileged, non-protected information that is responsive to this request, to the extent it is reasonably available to the State, after the disclosure of the applicable expert reports. The State reserves the right to supplement its response to this request.

REQUEST FOR PRODUCTION NO. 5: Please produce all pre-processing computer programs, functions and procedures used.

RESPONSE TO REQUEST NO. 5: The State incorporates its general objections as if fully stated herein. The State objects to this request to the extent it seeks information protected by the attorney client privilege or work product protection. Further, the State objects to this request to the extent that it seeks information known or opinions held by expert consultants retained or specially employed by the State or by its counsel in anticipation of litigation or preparation for trial. Fed. R. Civ. P. 26(b)(4)(A) and (B). The State and its experts are still collecting and analyzing the information and data which will be used in their opinions and reports, including any supplements thereto. The State objects to any production of expert opinions and materials prior to the applicable dates set by the Court's Scheduling Order.

The State also objects to this request on the ground that it improperly seeks identification of all items of responsive information, which renders it overly broad, unduly burdensome and oppressive, especially since this request is not limited to “pre-processing computer codes” used in “the Models” or otherwise limited. It may be impossible to locate all items of information responsive to this request. Additionally, the State objects to this Request on the ground that it is improper, overbroad, unduly burdensome, duplicative of other discovery requests and premature.

The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as a Model, defined as a “computerized, mathematical representation of a system.” The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as “pre-processing computer programs, functions and procedures used.” The State particularly objects because certain of this requests seeks “pre-processing computer programs, functions and procedures used” which are not in the possession of the State, nor under its control, and which are proprietary, copyrighted or owned by or licensed to third parties not under the control of the

State, rendering their production impossible, or oppressive, unduly burdensome and expensive for the State.

The State further objects to producing proprietary, commercially or publically available programs.

Subject to and without waiver of any objection, the State will identify / produce non-privileged, non-protected information that is responsive to this request, to the extent it is reasonably available to the State, after the disclosure of the applicable expert reports. The State reserves the right to supplement its response to this request.

REQUEST FOR PRODUCTION NO. 6: Please produce all post-processing computer programs, functions and procedures used.

RESPONSE TO REQUEST NO. 6: The State incorporates its general objections as if fully stated herein. The State objects to this request to the extent it seeks information protected by the attorney client privilege or work product protection. Further, the State objects to this request to the extent that it seeks information known or opinions held by expert consultants retained or specially employed by the State or by its counsel in anticipation of litigation or preparation for trial. Fed. R. Civ. P. 26(b)(4)(A) and (B). The State and its experts are still collecting and analyzing the information and data which will be used in their opinions and reports, including any supplements thereto. The State objects to any production of expert opinions and materials prior to the applicable dates set by the Court's Scheduling Order.

The State also objects to this request on the ground that it improperly seeks identification of all items of responsive information, which renders it overly broad, unduly burdensome and oppressive. It may be impossible to locate all items of information responsive to this request.

Additionally, the State objects to this request on the ground that it is improper, overbroad, unduly burdensome, duplicative of other discovery requests and premature.

The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as a Model, defined as a “computerized, mathematical representation of a system.” The State also objects to this request on the ground that it improperly seeks identification of all items of responsive information, which renders it overly broad, unduly burdensome and oppressive, especially since this request is not limited to “post-processing computer codes” used in “the Models” or otherwise limited. It may be impossible to locate all items of information responsive to this request. Additionally, the State objects to this Request on the ground that it is improper, overbroad, unduly burdensome, duplicative of other discovery requests and premature.

The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as “post-processing computer programs, functions and procedures used.” The State particularly objects because certain of these requests seeks “post-processing computer programs, functions and procedures used” which are not in the possession of the State, nor under its control, and which are proprietary, copyrighted or owned by or licensed to third parties not under the control of the State, rendering their production impossible, or oppressive, unduly burdensome and expensive for the State.

The State further objects to producing proprietary, commercially or publically available programs because such programs are as readily available to Defendant Tyson as to the State and production by the State is unduly burdensome and expensive.

Subject to and without waiver of any objection, the State will identify / produce non-privileged, non-protected information that is responsive to this request, to the extent it is

reasonably available to the State, after the disclosure of the applicable expert reports. The State reserves the right to supplement its response to this request.

REQUEST FOR PRODUCTION NO. 7: Please produce all computer programs, functions and procedures used.

RESPONSE TO REQUEST NO. 7: The State incorporates its general objections as if fully stated herein. The State objects to this request to the extent it seeks information protected by the attorney client privilege or work product protection. Further, the State objects to this request to the extent that it seeks information known or opinions held by expert consultants retained or specially employed by the State or by its counsel in anticipation of litigation or preparation for trial. Fed. R. Civ. P. 26(b)(4)(A) and (B). The State and its experts are still collecting and analyzing the information and data which will be used in their opinions and reports, including any supplements thereto. The State objects to any production of expert opinions and materials prior to the applicable dates set by the Court's Scheduling Order.

The State also objects to this request on the ground that it improperly seeks identification of all items of responsive information, which renders it overly broad, unduly burdensome and oppressive. It may be impossible to locate all items of information responsive to this request. Additionally, the State objects to this request on the ground that it is improper, overbroad, unduly burdensome, duplicative of other discovery requests and premature.

The State also objects to this request on the ground that it improperly seeks identification of all items of responsive information, which renders it overly broad, unduly burdensome and oppressive, especially since this request is not limited to "computer programs, functions and procedures" used in "the Models," or otherwise limited. It may be impossible to locate all items of information responsive to this request. Additionally, the State objects to this Request on the

ground that it is improper, overbroad, unduly burdensome, duplicative of other discovery requests and premature.

The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as “computer programs, functions and procedures used.” The State particularly objects because certain of these requests seeks “computer programs, functions and procedures used” which are not in the possession of the State, nor under its control, and which are proprietary, copyrighted or owned by or licensed to third parties not under the control of the State, rendering their production impossible, or oppressive, unduly burdensome and expensive for the State.

The State further objects to producing proprietary, commercially or publically available programs because such programs are as readily available to Defendant Tyson as to the State and production by the State is unduly burdensome and expensive.

Subject to and without waiver of any objection, the State will identify / produce non-privileged, non-protected information that is responsive to this request, to the extent it is reasonably available to the State, after the disclosure of the applicable expert reports. The State reserves the right to supplement its response to this request.

REQUEST FOR PRODUCTION NO. 8: Please produce all primary data used to develop the Models’ input files.

RESPONSE TO REQUEST NO.8: The State incorporates its general objections as if fully stated herein. The State objects to this request to the extent it seeks information protected by the attorney client privilege or work product protection. Further, the State objects to this request to the extent that it seeks information known or opinions held by expert consultants retained or specially employed by the State or by its counsel in anticipation of litigation or

preparation for trial. Fed. R. Civ. P. 26(b)(4)(A) and (B). The State and its experts are still collecting and analyzing the information and data which will be used in their opinions and reports, including any supplements thereto. The State objects to any production of expert opinions and materials prior to the applicable dates set by the Court's Scheduling Order.

The State also objects to this request on the ground that it improperly seeks identification of all items of responsive information, which renders it overly broad, unduly burdensome and oppressive. It may be impossible to locate all items of information responsive to this request. Additionally, the State objects to this request on the ground that it is improper, overbroad, unduly burdensome, duplicative of other discovery requests and premature.

The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as a Model, defined as a "computerized, mathematical representation of a system." The State further objects to the term "input file" as it is vague and ambiguous and susceptible to various meanings and interpretations.

The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as "primary data."

Subject to and without waiver of any objection, the State will identify / produce non-privileged, non-protected information that is responsive to this request, to the extent it is reasonably available to the State, after the disclosure of the applicable expert reports. The State reserves the right to supplement its response to this request.

REQUEST FOR PRODUCTION NO. 9: Please produce all primary data used for comparison with the Models' computations.

RESPONSE TO REQUEST NO. 9: The State incorporates its general objections as if fully stated herein. The State objects to this request to the extent it seeks information protected

by the attorney client privilege or work product protection. Further, the State objects to this request to the extent that it seeks information known or opinions held by expert consultants retained or specially employed by the State or by its counsel in anticipation of litigation or preparation for trial. Fed. R. Civ. P. 26(b)(4)(A) and (B). The State and its experts are still collecting and analyzing the information and data which will be used in their opinions and reports, including any supplements thereto. The State objects to any production of expert opinions and materials prior to the applicable dates set by the Court's Scheduling Order.

The State also objects to this request on the ground that it improperly seeks identification of all items of responsive information, which renders it overly broad, unduly burdensome and oppressive. It may be impossible to locate all items of information responsive to this request. Additionally, the State objects to this request on the ground that it is improper, overbroad, unduly burdensome, duplicative of other discovery requests and premature.

The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as a Model, defined as a "computerized, mathematical representation of a system." The State further objects that this request is vague and ambiguous in that it is not reasonably possible to determine what is requested as "primary data."

Subject to and without waiver of any objection, the State will identify / produce non-privileged, non-protected information that is responsive to this request, to the extent it is reasonably available to the State, after the disclosure of the applicable expert reports. The State reserves the right to supplement its response to this request.

Respectfully Submitted,

W.A. Drew Edmondson OBA # 2628
ATTORNEY GENERAL
Kelly H. Burch OBA #17067
J. Trevor Hammons OBA #20234
Daniel P. Lennington OBA #21577
ASSISTANT ATTORNEYS GENERAL
State of Oklahoma
313 N.E. 21st St.
Oklahoma City, OK 73105
(405) 521-3921



M. David Riggs OBA #7583
Joseph P. Lennart OBA #5371
Richard T. Garren OBA #3253
Sharon K. Weaver OBA #19010
Robert A. Nance OBA #6581
D. Sharon Gentry OBA #15641
David P. Page OBA #6852
RIGGS, ABNEY, NEAL, TURPEN,
ORBISON & LEWIS
502 West Sixth Street
Tulsa, OK 74119
(918) 587-3161

Louis W. Bullock OBA #1305
Robert M. Blakemore OBA 18656
BULLOCK, BULLOCK & BLAKEMORE
110 West Seventh Street Suite 707
Tulsa OK 74119
(918) 584-2001

Frederick C. Baker
(admitted *pro hac vice*)
Lee M. Heath
(admitted *pro hac vice*)
Elizabeth C. Ward
(admitted *pro hac vice*)
Elizabeth Claire Xidis
(admitted *pro hac vice*)
MOTLEY RICE, LLC
28 Bridgeside Boulevard
Mount Pleasant, SC 29465
(843) 216-9280

William H. Narwold
(admitted *pro hac vice*)
Ingrid L. Moll
(admitted *pro hac vice*)
MOTLEY RICE, LLC
20 Church Street, 17th Floor
Hartford, CT 06103
(860) 882-1676

Jonathan D. Orent
(admitted *pro hac vice*)
Michael G. Rousseau
(admitted *pro hac vice*)
Fidelma L. Fitzpatrick
(admitted *pro hac vice*)
MOTLEY RICE, LLC
321 South Main Street
Providence, RI 02940
(401) 457-7700

Attorneys for the State of Oklahoma

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of May, 2008, I electronically transmitted the above and foregoing pleading to the Clerk of the Court using the ECF System for filing and a transmittal of a Notice of Electronic Filing to the following ECF registrants:

W. A. Drew Edmondson, Attorney General	fc_docket@oag.state.ok.us
Kelly H. Burch, Assistant Attorney General	kelly_burch@oag.state.ok.us
J. Trevor Hammons, Assistant Attorney General	trevor_hammons@oag.state.ok.us
Daniel P. Lennington, Assistant Attorney General	daniel.lennington@oag.ok.gov
M. David Riggs	driggs@riggsabney.com
Joseph P. Lennart	jlennart@riggsabney.com
Richard T. Garren	rgarren@riggsabney.com
Douglas A. Wilson	doug_wilson@riggsabney.com
Sharon K. Weaver	sweaver@riggsabney.com
Robert A. Nance	rnance@riggsabney.com
D. Sharon Gentry	sgentry@riggsabney.com
David P. Page	dpage@riggsabney.com
RIGGS, ABNEY, NEAL, TURPEN, ORBISON & LEWIS	
Louis Werner Bullock	lbullock@bullock-blakemore.com
Robert M. Blakemore	bblakemore@bullock-blakemore.com
BULLOCK, BULLOCK & BLAKEMORE	

Frederick C. Baker
Lee M. Heath
Elizabeth C. Ward
Elizabeth Claire Xidis
William H. Narwold
Ingrid L. Moll
Jonathan D. Orent
Michael G. Rousseau
Fidelma L. Fitzpatrick
MOTLEY RICE, LLC
Counsel for State of Oklahoma

fbaker@motleyrice.com
lheath@motleyrice.com
lward@motleyrice.com
cxidis@motleyrice.com
bnarwold@motleyrice.com
imoll@motleyrice.com
jorent@motleyrice.com
mrousseau@motleyrice.com
ffitzpatrick@motleyrice.com

Robert P. Redemann
Lawrence W. Zeringue
David C. Senger
PERRINE, MCGIVERN, REDEMANN, REID, BARRY & TAYLOR, P.L.L.C.

rredemann@pmrlaw.net
lzingue@pmrlaw.net
dsenger@pmrlaw.net

Robert E Sanders
Edwin Stephen Williams
YOUNG WILLIAMS P.A.

rsanders@youngwilliams.com
steve.williams@youngwilliams.com

Counsel for Cal-Maine Farms, Inc and Cal-Maine Foods, Inc.

John H. Tucker
Theresa Noble Hill
Colin Hampton Tucker
Leslie Jane Southerland
RHODES, HIERONYMUS, JONES, TUCKER & GABLE

jtucker@rhodesokla.com
thill@rhodesokla.com
ctucker@rhodesokla.com
ljsoutherland@rhodesokla.com

Terry Wayen West
THE WEST LAW FIRM

terry@thewestlawfirm.com

Delmar R. Ehrich
Bruce Jones
Dara D. Mann
Krisann C. Kleibacker Lee
Todd P. Walker
FAEGRE & BENSON, LLP

dehrich@faegre.com
bjones@faegre.com
dmann@faegre.com
kklee@faegre.com
twalker@faegre.com

Counsel for Cargill, Inc. & Cargill Turkey Production, LLC

James Martin Graves
Gary V Weeks
Paul E. Thompson, Jr
Woody Bassett

jgraves@bassettlawfirm.com
gweeks@bassettlawfirm.com
pthompson@bassettlawfirm.com
wbassett@bassettlawfirm.com

Jennifer E. Lloyd
BASSETT LAW FIRM

jlloyd@bassettlawfirm.com

George W. Owens
Randall E. Rose
OWENS LAW FIRM, P.C.

gwo@owenslawfirmpc.com
rer@owenslawfirmpc.com

Counsel for George's Inc. & George's Farms, Inc.

A. Scott McDaniel
Nicole Longwell
Philip Hixon
Craig A. Merkes
MCDANIEL, HIXON, LONGWELL & ACORD, PLLC

smcdaniel@mhla-law.com
nlongwell@mhla-law.com
phixon@mhla-law.com
cmerkes@mhla-law.com

Sherry P. Bartley
MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC

sbartley@mwsgw.com

Counsel for Peterson Farms, Inc.

John Elrod
Vicki Bronson
P. Joshua Wisley
Bruce W. Freeman
D. Richard Funk
CONNER & WINTERS, LLP
Counsel for Simmons Foods, Inc.

jelrod@cwlaw.com
vbronson@cwlaw.com
jwisley@cwlaw.com
bfreeman@cwlaw.com
rfunk@cwlaw.com

Stephen L. Jantzen
Paula M. Buchwald
Patrick M. Ryan
RYAN, WHALEY, COLDIRON & SHANDY, P.C.

sjantzen@ryanwhaley.com
pbuchwald@ryanwhaley.com
pryan@ryanwhaley.com

Mark D. Hopson
Jay Thomas Jorgensen
Timothy K. Webster
Thomas C. Green
Gordon D. Todd
SIDLEY, AUSTIN, BROWN & WOOD LLP

mhopson@sidley.com
jjorgensen@sidley.com
twebster@sidley.com
tcgreen@sidley.com
gtodd@sidley.com

Robert W. George
L. Bryan Burns
TYSON FOODS, INC

robert.george@tyson.com
bryan.burns@tyson.com

Michael R. Bond

michael.bond@kutakrock.com

Erin W. Thompson
KUTAK ROCK, LLP
Counsel for Tyson Foods, Inc., Tyson Poultry, Inc., Tyson Chicken, Inc., & Cobb-Vantress, Inc.

erin.thompson@kutakrock.com

R. Thomas Lay
KERR, IRVINE, RHODES & ABLES

rtl@kiralaw.com

Jennifer Stockton Griffin
David Gregory Brown
LATHROP & GAGE LC
Counsel for Willow Brook Foods, Inc.

jgriffin@lathropgage.com

Robin S Conrad
NATIONAL CHAMBER LITIGATION CENTER

rconrad@uschamber.com

Gary S Chilton
HOLLADAY, CHILTON AND DEGIUSTI, PLLC
Counsel for US Chamber of Commerce and American Tort Reform Association

gchilton@hcdattorneys.com

D. Kenyon Williams, Jr.
Michael D. Graves
HALL, ESTILL, HARDWICK, GABLE, GOLDEN & NELSON
Counsel for Poultry Growers/Interested Parties/ Poultry Partners, Inc.

kwilliams@hallestill.com

mgraves@hallestill.com

Richard Ford
LeAnne Burnett
CROWE & DUNLEVY
Counsel for Oklahoma Farm Bureau, Inc.

richard.ford@crowedunlevy.com
leanne.burnett@crowedunlevy.com

Kendra Akin Jones, Assistant Attorney General
Charles L. Moulton, Sr Assistant Attorney General
Counsel for State of Arkansas and Arkansas National Resources Commission

Kendra.Jones@arkansasag.gov

Charles.Moulton@arkansasag.gov

Mark Richard Mullins
MCAFEE & TAFT
Counsel for Texas Farm Bureau; Texas Cattle Feeders Association; Texas Pork Producers Association and Texas Association of Dairymen

richard.mullins@mcafeetaft.com

Mia Vahlberg

mvahlberg@gablelaw.com

GABLE GOTWALS

James T. Banks

jtbanks@hhlaw.com

Adam J. Siegel

ajsiegel@hhlaw.com

HOGAN & HARTSON, LLP

Counsel for National Chicken Council; U.S. Poultry and Egg Association & National Turkey Federation

John D. Russell

jrussell@fellerssnider.com

FELLERS, SNIDER, BLANKENSHIP, BAILEY
& TIPPENS, PC

William A. Waddell, Jr.

waddell@fec.net

David E. Choate

dchoate@fec.net

FRIDAY, ELDREDGE & CLARK, LLP

Counsel for Arkansas Farm Bureau Federation

Barry Greg Reynolds

reynolds@titushillis.com

Jessica E. Rainey

jrainey@titushillis.com

TITUS, HILLIS, REYNOLDS, LOVE,

DICKMAN & MCCALMON

Nikaa Baugh Jordan

njordan@lightfootlaw.com

William S. Cox, III

wcox@lightfootlaw.com

LIGHTFOOT, FRANKLIN & WHITE, LLC

Counsel for American Farm Bureau and National Cattlemen's Beef Association

Also on this 19th day of May, 2008, I mailed a copy of the above and foregoing pleading to the following:

David Gregory Brown

Lathrop & Gage, LC

314 E. High Street

Jefferson City, MO 65101

Thomas C. Green

Sidley Austin Brown & Wood, LLP

1501 K St. NW

Washington, DC 20005

Cary Silverman

Victor E. Schwartz

Shook Hardy & Bacon LLP

600 14th St. NW, Ste. 800

Washington, DC 20005-2004

C. Miles Tolbert

Secretary of the Environment

State of Oklahoma

3800 North Classen

Oklahoma City, OK 73118

Dustin McDaniel

Justin Allen

Office of the Attorney General (Little Rock)

323 Center Street, Suite 200

Little Rock, AR 72201-2610

Steven B. Randall

58185 County Road 658

Kansas, Ok 74347

George R. Stubblefield

HC 66, Box 19-12

Proctor, Ok 74457

A handwritten signature in black ink, reading "Robert A. Nance", written over a horizontal line.

Robert A. Nance